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Attorney for the Defendant,
Fausto Texeira Martins Neto

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FAUSTO TEXEIRA MARTINS NETO,

Defendant.

Case No. 2:17-cr-00001-JAD-DJA

**STIPULATION AND ORDER TO
CONTINUE SENTENCING**

[Sixth Request]

IT IS HEREBY STIPULATED AND AGREED by and between Telia Mary U. Williams, Esq., counsel for the defendant, Fausto Texeira Martins Neto, and Simon Kung, Esq., Assistant United States Attorney, counsel for the Government, that the Sentencing currently scheduled for August 31, 2021 at 11:00am, be vacated and reset to a time no sooner than sixty (60) days from August 31, 2021.

This Stipulation is entered into for the following reasons:

1. A videoconference could not be secured for Defense Counsel and the Defendant to have a final meeting as Defense Counsel intended before the Defendant's

1 sentencing. The last time that the Defendant and Defense Counsel had a
2 videoconference together was a couple months ago, with the express intention to
3 meet the week before, or during, his sentencing, so that the Defendant is well-
4 prepared for his sentencing.

5 2. Although Defense Counsel timely sought permission to arrange for a meeting with
6 the Defendant the week of his upcoming sentencing, the request could not be
7 accommodated apart from significant inconvenience on the part of the staff, due to
8 the circumstances of an unprecedented demand for video conferences with prison
9 inmates at the moment. The Defendant's need for an interpreter adds to the
10 difficulty of arranging a video visit.

11 3. Ordinarily, Defense counsel would arrange for an alternative in-person meeting
12 with the Defendant, but under the current situation of virus precautions, such
13 meetings are generally disfavored.

14 4. To better ensure the ability of the facility to arrange a video meeting with the
15 Defendant during the week of his sentencing, along with an interpreter, the
16 Defendant is seeking a 60-day continuance.

17 5. Counsel for the Government has no objection to this continuance.

18 6. The Defendant is in custody, but does not object to a continuance.

19 7. Denial of this request for continuance could result in a miscarriage of justice.

20 8. For all the above-stated reasons, the ends of justice would best be served by a
21 continuance of the sentencing.

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1 9. This is the sixth request for a continuance.

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3 DATED: August 24, 2021

4 LAW OFFICE OF TELIA U. WILLIAMS

CHRISTOPHER CHIOU
ACTING UNITED STATES ATTORNEY

5 By: /s/ Telia U. Williams

6 By: /s/ Simon Kung

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10 *Attorney for Defendant,*
11 *Fausto Texeira Martins Neto*

Attorney for Plaintiff,
United States

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 UNITED STATES OF AMERICA,

Case No. 2:17-cr-00001-JAD-DJA

5 Plaintiff,

ORDER

6 vs.

7 FAUSTO TEXEIRA MARTINS NETO,

8 Defendant.
9

10 **FINDINGS OF FACT**

11 Based on the Stipulation of counsel, and good cause appearing therefore, the court finds
12 that the Stipulation between the United States, and defendant Fausto Teixeira Martins Neto, is
13 entered into for the following reasons:
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- 15 1. A videoconference could not be secured for Defense Counsel and the Defendant to
16 have a final meeting as Defense Counsel intended before the Defendant's
17 sentencing. The last time that the Defendant and Defense Counsel had a
18 videoconference together was a couple months ago, with the express intention to
19 meet the week before, or during, his sentencing, so that the Defendant is well-
20 prepared for his sentencing.
- 21 2. Although Defense Counsel timely sought permission to arrange for a meeting with
22 the Defendant the week of his upcoming sentencing, the request could not be
23 accommodated apart from significant inconvenience on the part of the staff, due to
24 the circumstances of an unprecedented demand for video conferences with prison
25 inmates at the moment. The Defendant's need for an interpreter adds to the
26 difficulty of arranging a video visit.
- 27 3. Ordinarily, Defense counsel would arrange for an alternative 6in-person meeting
28 with the Defendant, but under the current situation of virus precautions, such

meetings are generally disfavored.

4. To better ensure the ability of the facility to arrange a video meeting with the Defendant during the week of his sentencing, along with an interpreter, the Defendant is seeking a 60-day continuance.
5. Counsel for the Government has no objection to this continuance.
6. The Defendant is in custody, but does not object to a continuance.
7. Denial of this request for continuance could result in a miscarriage of justice.
8. For all the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing.

This is the sixth request for a continuance

CONCLUSIONS OF LAW

Denial of this request for continuance would deny counsel for the Defendant, Fausto Texeira Martins Neto, sufficient opportunity to confer with Mr. Neto in preparation for his sentencing.

As such, denial of this request for continuance could result in a miscarriage of justice.

ORDER

IT IS HEREBY ORDERED that the sentencing currently scheduled for August 31, 2021 at 11:00am, be continued to November 15, 2021, at 11:00 a.m.

DATED this 25th day of August, 2021.


UNITED STATES DISTRICT JUDGE